



Federal Communications Commission
Washington, D.C. 20554

C4203
Imaging Center

April 13, 2005

Dana J. Puopolo
2134 Oak Street, Unit #C
Santa Monica, California 90405

DOCKET FILE COPY ORIGINAL

Dear Mr. Puopolo:

This concerns your petition for rule making in which you request that the Commission amend Section 73.202(b) of its rules, FM Table of Allotments, to allot Channel 231A to Morrisonville, New York.

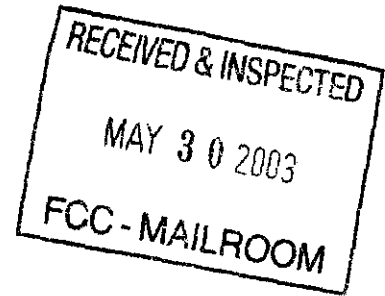
An initial review of your petition shows that it is unacceptable for filing. The foregoing petition does not comply with Section 73.207 of the Commission's rules because the proposed transmitter site is short spaced by 101.6 kilometers to an FM allotment for Channel 231A at Keeseville, New York.

Therefore, we are returning your petition for rulemaking as unacceptable for filing.

Sincerely yours,

for John A. Karousos,
Assistant Chief, Audio Division
Media Bureau

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554



In the matter of)
Amendment of Section 73.202 (b),) MB Docket No. _____
Table of Allotments)
FM Broadcast Stations) RM- _____
(Morrisonville, New York))

PETITION FOR RULEMAKING

To the Chief, Allocations Branch:

Dana J. Puopolo ("Petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purpose of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated:

2. Petitioner proposes the Commission allot FM channel 231A to Morrisonville, New York as its first aural service. This would require amending Section 73.202(b) of the Commission's rules as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Morrisonville, NY	-	231A

3. Morrisonville is a Census Designated Place located in Northern New York. It is located in Clinton county. In 2000 the United States Census Bureau estimated Morrisonville had a population of 1702 persons.

4. FM channel 231A can be assigned to Morrisonville in full compliance with the Commission's minimum distance separation requirements. This is illustrated by the attached spacing study. Coordinates used are N 44:39:00, W 73:32:24 and are located approximately 6 Km south of Morrisonville. This site restriction is necessary to prevent short spacings with stations WLVB, Morrisville, VT, WYUL, Chateaugay, NY, and CKMFFM, Montreal, QU, CA.

5. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 231A if it is assigned to Morrisonville as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,

Dana J. Puopolo
2134 Oak St., Unit #C
Santa Monica, CA 90405
May 21, 2003

Morrisonville, NY

FM Spacing Study Channel 231A, Morrisonville, NY

CHAN	FREQ	CALL	LOCATION		DIST	REQ	CLEAR
228C1	93.5	CBMFM	MONTREAL	QU CA	95	87	8
229A	93.7	ALLOC	GROVETON	NH US	152	31	121
229C3	93.7	WXAL-FM	ADDISON	VT US	76	42	34
229C3	93.7	WXAL-FM	ADDISON	VT US	49	42	7
230A	93.9	WMXR	WOODSTOCK	VT US	144	72	72
230C1	93.9	CKKL	OTTAWA	ON CA	205	93	112
230A	93.9	WLVB	MORRISVILLE	VT US	72	72	0
231A	94.1	WNYV	WHITEHALL	NY US	130	115	15
231C3	94.1	WXMV	CANAAN	VT US	147	142	5
231A	94.1	WFTN-FM	FRANKLIN	NH US	203	115	88
232A	94.3	WBTN-FM	BENNINGTON	VT US	191	72	119
232C1	94.3	CKMFFM	MONTREAL	QU CA	95	93	2
233A	94.5	WJEN	RUTLAND	VT US	122	31	91
233A	94.5	WJEN	RUTLAND	VT US	115	31	84
233A	94.5	ALLOC	ALBANY	VT US	96	31	65
234A	94.7	WBAR-FM	LAKE LUZERNE	NY US	152	31	121
234C2	94.7	WYUL	CHATEAUGAY	NY US	56	55	1

Notes:

All distances are in kilometers.
Only stations clearing by less than 125 Km are shown.

